

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ATLANTIC CAPES FISHERIES, INC.)	
Plaintiff,)	
)	
v.)	C.A. No. 14-14701-DPW
)	
40 CLAM CAGES, MORE OR LESS, <i>in rem</i> ,)	
F/V Maude Platt, Inc. as owner of the)	
M/V SEAFOX)	
TM Terra Fisheries, Inc. as owner of the)	
F/V MISS MAEGAN,)	
F/V (John Doe) and)	
NANTUCKET SOUND SEAFOOD, LLC)	
Defendants.)	

**ORDER REGARDING INVENTORY OF CLAM CAGES, SURRENDER OF
IDENTIFIED CAGES AND RESOLUTION OF OWNERSHIP OF DISPUTED CAGES**

The Court, following hearing on Defendant, Nantucket Sound Seafood, LLC's ("NSS") Motion to stay arrest hereby Orders as follows:

1. Before the close of business on Monday, January 12, 2015, Nantucket Sound Seafood, LLC shall conduct an inventory of all clam cages in its control either on its premises or on boats working for NSS, including all clam cages brought to or taken from its place of business from January 10 through January 12, or whether by boat, truck or other conveyance working for or associated with NSS. The inventory shall include location and photographs of each cage with ownership identification.
2. NSS shall advise the other named defendants with whom it has a business relationship, including but not limited to F/V SEAFOX, F/V MISS MEAGAN, AND F/V JOHN DOE(S) of the need to provide an inventory in lieu of seizure by the U.S. Marshall and will provide to the Court by Close of business day on January 12, 2015 a list of such vessels and an affirmative statement from NSS that they have been notified and provided an opportunity to intervene, if they so desire.
3. Prior to the Close of business on January 12, 2015, NSS shall afford Atlantic Capes Fisheries, Inc. (ACF) reasonable opportunity to physically confirm the inventory of NSS and photograph all clam cages at NSS's place of business, or on trucks, vessels or other conveyances located there, including vessels landing up through the close of business on January 12.
4. Upon agreement and confirmation of the inventory by the parties by Close of business on January 12, 2015, NSS shall as quickly as can practically be arranged surrender all clam cages marked as owned by ACF or any of the entities listed in

ACF's verified complaint to ACF, to be picked up and transported by ACF at its expense.

5. The parties shall report back to the Court on or before 2/6/2016 on outstanding issues, if any, regarding ownership and possession of any remaining clam cages in NSS's possession whose ownership is in dispute, including a proposal for resolving issues in dispute for the remaining cages.

Dated _____

UNITED STATES DISTRICT JUDGE